



**MINUTES
CITY COUNCIL MEETING
June 1, 2021**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, Gina Joyce, and Deirdre Kvale

Staff Present: City Administrator: Scott Weske; City Attorney: John Thames; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner noted that this was the first time the Council was meeting in person in over a year. He also offered the following comments:

There was a Memorial Day ceremony held in Nelson Lakeside Park that had a great turnout and took place coinciding with a Murph Challenge event. He thanked all the individuals who worked hard to make those events a great success.

In a work session prior to the regular meeting, the Council discussed the proposed Diamond Lake Regional Trail and reviewed an updated draft of a Master Sewer and Water Service Agreement.

APPROVE AGENDA

A motion was made by Feldmann, seconded by Joyce, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of May 18, 2021 City Council Meeting
- B. Receive Unofficial Draft Minutes of May 18, 2021 Economic Development Authority Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2021-23 Accepting a Donation to the Long Lake Fire Department for \$200 from Bob Hardin

The Council expressed their appreciation to Bob Hardin for his donation to the Long Lake Fire Department.

A motion was made by Dyvik, seconded by Feldmann, to approve the Consent Agenda, as presented. Ayes: all.

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Review Updated Draft of the Master Utility Agreement with Orono and Provide Direction to Staff

City Administrator recalled that starting in 2006, the Public Works Directors from Long Lake and Orono had begun discussing a way to consolidate some of the existing utility agreements covering Orono connections to Long Lake infrastructure. However, after years of discussion, no progress had been made toward development of a Master Utility Agreement. He explained that recently, staff has drafted a Master Sewer and Water Service Agreement and an initial copy of this document was presented to the Council during a work session on May 4, 2021. He noted that technically there are only six agreements currently in place, but there are multiple connections that have written agreements.

Council member Dyvik questioned how sewer usage is determined when someone has a private well.

Weske clarified that they would be charged a flat rate for sewer connections only. The intent of the draft agreement would be to treat Orono as a commercial customer.

A motion was made by Dyvik, seconded by Miner, to direct staff to send the Draft Master Sewer and Water Service Agreement to the City Administrator of Orono for review. Ayes: all.

Resolution Appointing Alex Ebner to the Position of Full-Time Public Works Maintenance Worker I

Public Works Director Diercks described the interview process for the position and noted that there were six candidates that applied of which three were interviewed. He introduced Alex Ebner who was selected for this position and gave some background on his experience with the City of Bloomington. He mentioned that Mr. Ebner was already working in a position similar to the City's open position, and had already begun testing for his water and sewer certifications.

Alex Ebner introduced himself, shared that he lives locally, and expressed his desire that he will be a good contributor to the City. He stated that he believed his background provides for a lot of transferrable skills and he is looking forward to a longstanding career with the City.

A motion was made by Joyce, seconded by Miner, to adopt Resolution No. 2021-25 appointing Alex Ebner to the position of full-time Public Works Maintenance Worker I for the City of Long Lake. Ayes: all.

Participation in Minnesota Statewide All-Hazards Incident Management Organization Cooperative Agreement

Fire Chief Van Eyll explained that the City has been part of the Minnesota Statement All-Hazards Incident Management Team (AHIMT) since 2010. He gave examples of various times the team has been deployed around the state and the nation. He noted that most, but not all, deployments are eligible for reimbursement for time and expenses incurred. He clarified that the agreement is necessary in order to comply with the League of Minnesota Cities Insurance Trust related to insurance and liability concerns. He added that before any deployment happens, he contacts City Administrator Weske to let him know what is going on.

Council member Kvale questioned whether City Attorney Thames had reviewed the document and concurred with the language.

Thames confirmed that he had reviewed the document and understands that they are trying to make sure that the insurance coverage lines up correctly.

Council member Joyce asked how much time during any given year would be required.

Van Eyll responded that there is quarterly training, which is typically four hours at a time. He noted that basically all the training conducted in 2020 was done online.

A motion was made by Feldmann, seconded by Joyce, to adopt Resolution No. 2021-24 approving entering into the Cooperative Agreement for the Minnesota Statewide All-Hazards Incident Management Organization. Ayes: all.

Resolution Ending the Period of a Mayor-Declared Local Peace Time Emergency Due to the COVID-19 Health Pandemic

Fire Chief Van Eyll reported that on March 22, 2020, the Mayor issued a Proclamation declaring a Peace Time Local Emergency in response to COVID-19. When the Council met on March 24, 2020 at their regular meeting, the declaration was extended by resolution. He stated that staff has continued to monitor the situation; had reopened City Hall which has gone well; and everyone on staff and Council who wanted a vaccination has been able to receive one; so he is recommending that the City rescind the Local Peace Time Emergency and move back to normal operations.

A motion was made by Dyvik, seconded by Miner, to adopt Resolution No. 2021-26 ending the period of a Mayor-declared Local Peace Time Emergency due to the COVID-19 health pandemic. Ayes: all.

Approve of 3rd Amendment to Purchase Agreement with The Borough, LLC

City Attorney Thames indicated that the need for the proposed purchase agreement amendment had come up abruptly late last week. He reviewed that the closing on the City owned Virginia Avenue property had been set for June 1, 2021. Thames was contacted by Tim Nichols and Ben Landhauser last Friday who informed him that they had an issue with a particular investor who needed a bit more time to go through due diligence aspects of the project. Their original investor was forced to back out due to health reasons. Thames stated that they still believe everything will go through and are not concerned about commitment to the project, but they simply needed a bit more time in order to close due to the investor change.

Council member Dyvik asked how long the amendment would extend the deadline for closing.

Thames replied that the amendment would extend the deadline for one month to June 30, 2021.

Council member Dyvik questioned what level of confidence there was that this would not have to be extended again.

Tim Nichols, LifeStyle Communities, reiterated City Attorney Thames' explanation that one of their investors had to back out of The Borough development due to health reasons. He affirmed that they have absolute confidence that this project will still move forward and just simply need a bit more time for the new investors to do their due diligence. He stated that the timeline they have been discussing is just a few weeks and, at the longest, a month.

Council member Joyce inquired if this would also push the construction schedule back for the same time period.

Mr. Nichols responded that it is likely that there would be a delay of a few weeks for the start of construction. He confirmed that the Virginia Avenue residents have been notified of the closing delay and the response was mixed.

Council member Feldmann confirmed that the City owned property would close after the residential properties closed.

Thames replied that the closing on the City owned property would be at the end of the line. He stated that the Mayor and staff have signed all the necessary closing documents and they are in the closer's possession.

Council member Dyvik asked if the landscape of the rental market had changed from a year ago when the process began, and if it had changed in a way that would make it more difficult to find investors.

Mr. Nichols commented that the project will still be a unique product in the rental market because it is a boutique rental property and will still be desirable. He added that this has not been a deterrent for the investor. He explained that while there is more building going on, he doesn't believe that there is any deterrent towards this project moving forward.

A motion was made by Feldmann, seconded by Dyvik to authorize the Mayor and City Administrator to execute the 3^d Amendment to Purchase Agreement with LifeStyle Communities, LLC and The Borough, LLC. Ayes: all.

Mayor Miner asked if there were any updates on Zvago Long Lake.

Mr. Nichols responded that his most recent sales update had shown that there are at about 26% of units pre-sold. He mentioned that due to the pandemic, they have reduced their large scale-meetings down to smaller scale meetings at different venues throughout town.

Council member Dyvik questioned where the majority of the people that have committed to Zvago have come from.

Mr. Nichols noted that they could show the City the specific information, but overall, it is quite local. He recalled that the people have primarily been from Plymouth, Long Lake, and the Lake Minnetonka area, but added that there are people from outside of the area as well.

City Clerk Moeller added that from a building permit perspective, the architect working with Zvago recently submitted another amendment to the project in response to some questions and comments from Metro West, which means that behind the scenes the building permit is also moving forward.

Mr. Nichols stated that there appears to be a bit a misinformation about what cooperative housing is and they will be getting information out to business owners and some one-on-one connections in order to help with that understanding. He pointed out that Zvago is not an assisted living or memory care and is for independent, vibrant individuals that are aged 62 and better. He noted that if there is a couple, one of them will need to be at least 62 years old.

Update on Fire Department Discussions

Mayor Miner indicated that there are no major updates and the meetings continue.

Fire Chief Van Eyll reported that there will be a meeting similar to the meeting in May when Mayor Miner addressed the firefighters. He stated that Mayor Walsh will be addressing them on June 7, 2021 to discuss Orono's position.

Van Eyll also mentioned he had attended the Orono Council meeting where they discussed the CIP item that is on the docket for 2021 and noted that they had decided to table that discussion in order to have a larger discussion about the fleet.

OTHER BUSINESS

Flower Baskets and Other Items – Council member Dyvik thanked Public Works Director Diercks and his staff for hanging the beautiful flower baskets, flags, and banners. He suggested that the City may want to start thinking in the future about creating a new design for banners and when they do, it would be a good idea to remember designing for the 'Long Lake' to go on the top so the baskets won't cover it up.

Memorial Day Events – Council member Dyvik stated that it looked like the Murph Challenge was a pretty good event and noted that a few of his family members had participated. He commented that it was very nice to see all the activity at the park but added that the City needs to make sure that the Memorial Day service is not overshadowed by the Murph Challenge in future years. He noted that the Murph Challenge did turn off their music during the service, however the speaker for the service was woefully underpowered and it was very hard to hear presenters.

City Clerk Moeller confirmed that she had already been contacted with a request to possibly borrow equipment from the firefighters next year for the Memorial ceremony because they had used a karaoke speaker that someone had loaned them for the event.

Council member Dyvik added that he would like to see an announcement made from the Murph Challenge group that the Memorial Day service would be taking place. Though they turned off the music, the Murph Challenge event continued during the service. He would like to see everyone take a moment of silence or something to show respect and showcase the ceremony a bit more.

Moeller responded that she had compiled a pretty good list of things for future Murph Challenge events, but noted that none of them are insurmountable. She stated that she did not receive anything that could be perceived as a complaint, and reports thus far were mostly feedback of things to keep in mind for next year.

The Council discussed details about the Murph Challenge and the Memorial Day service and shared ideas to have things run more smoothly in the future particularly with regard to the ceremonial service.

Council member Joyce asked if there would be follow up discussion on the potential stage at Nelson Lakeside Park.

Moeller replied that she expects the discussion to be in a bit of limbo while fundraising activities restart. She stated that typical fundraising efforts were not possible during 2020 due to COVID-19 so it may take some time before the group approaches the City again to pursue the stage further. She noted that she had been contacted by the Orono Lions Club about the Council supporting their idea of a 'Selfie Fundraiser' where they would place stakes in various locations for people to use and enter into a contest.

Fire Chief Van Eyll expressed his appreciation to the firefighters, both active and retired, for their efforts this past week, and indicated that the department was very busy this past weekend with parades and three different ceremonies for Memorial Day.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:37 pm.

Respectfully submitted,

Scott Weske
City Administrator